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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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11/21/2006

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EXAMINER

MANIWANG, JOSEPH R

ART UNIT

PAPER NUMBER

2144

DATE MAILED: 11/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/746,953	Applicant(s) LAFERRIERE ET AL.	
	Examiner Joseph R. Maniwang	Art Unit 2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 11-26 and 29-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 11-26 and 29-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application ¹ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action has been considered. In view of the prior art, the finality of that action is withdrawn. Claims 1-8, 11-26, and 29-37 are now rejected as detailed in the below rejections.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 11-26, 29, and 35-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Slattery et al. (U.S. Pat. No. 6,514,085), hereinafter referred to as Slattery.

4. Regarding claims 11 and 20, Slattery disclosed a method and system comprising displaying an interface screen at a controlled computer based upon a program run by the controlled computer (see column 7, lines 40-64); transmitting screen data representative of the screen for display at a controlling computer coupled to the controlled computer via a network, wherein the screen data representative of the screen

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is stored in memory at the controlling computer (see column 7, lines 40-64); transmitting input event data from the controlling computer to the controlled computer via the network (see column 6, lines 19-46); designating a portion of the screen at the controlled computer based upon the input event data and the program (see column 6, lines 19-46); transmitting screen data representative of the portion to the controlling computer to update the display at the controlling computer, wherein the screen data representative of the portion is stored in memory at the controlling computer (see column 7, lines 40-64); and executing a command based upon the input event data (see column 6, lines 19-46).

5. Regarding claims 12 and 21, Slattery disclosed the method and system wherein the input event data includes data identifying a location of a graphical element on the screen (see column 6, lines 29-46).

6. Regarding claim 13, Slattery disclosed the method and system wherein the portion of the screen is designated based upon functionality of the portion at the location as defined by the program (see column 6, lines 29-46).

7. Regarding claims 14 and 22, Slattery disclosed the method and system wherein the portion of the screen is stored at the controlling computer by transmitting data indicative of limits of the portion from the controlled computer to the controlling computer, and capturing the portion of the screen within the limits (see column 7, lines 40-64).

8. Regarding claims 15 and 23, Slattery disclosed the method and system comprising the step of transmitting from the controlled computer to the controlling

computer background data representative of a portion of a screen beneath the portion (see column 7, lines 40-64).

9. Regarding claim 16, Slattery disclosed the method and system wherein the command includes movement of the portion, and wherein the background data is referenced to fill a section of the screen from which the portion is moved (see column 7, lines 40-64).

10. Regarding claim 17, Slattery disclosed the method and system wherein the portion includes a display window (see column 3, lines 32-42).

11. Regarding claim 18, Slattery disclosed the method and system wherein the portion includes a graphical input device (see column 6, lines 29-46).

12. Regarding claim 19, Slattery disclosed the method and system wherein the network includes the Internet (see column 3, lines 44-45).

13. Regarding claim 24, Slattery disclosed a method and system comprising a controlled computer configured to run a program and to display a user interface screen based upon the program, wherein the program is resident at and runs on the controlled computer (see column 4, lines 17-25); a controlling computer linked to the controlled computer via a network, the controlling computer receiving screen data via the network for display of the user interface screen (see column 3, lines 32-39; column 7, lines 40-64); memory coupled to the controlling computer and configured to store portions of the interface screen identified by the controlled computer based upon input events occurring at the controlling computer and based upon the program (see column 5, lines 49-62), wherein the controlled computer is coupled to the controlled device (see column

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4, lines 26-37), and wherein instructions corresponding to the input events are executed on the controlled device (see column 6, lines 19-46).

14. Regarding claim 25, Slattery disclosed the method and system wherein the controlling computer includes an input device and data representative of input events made via the input device are transmitted to the controlled computer via the network to permit identification of the portions of the interface screen (see column 6, lines 19-46).

15. Regarding claim 26, Slattery disclosed the method and system wherein the controlled computer includes a memory and is configured to store the portions of the interface screen in the memory (see column 7, lines 40-64).

16. Regarding claim 35, Slattery disclosed a method and system comprising generating a screen display at a controlled computer based upon a program run by the controlled computer (see column 7, lines 40-64); transmitting data representative of the screen display to a controlling computer for display at the controlling computer (see column 7, lines 40-64); storing the data representative of the screen display in memory at the controlling computer (see column 5, lines 49-62); transmitting input event data representative of an input event from the controlling computer to the controlled computer (see column 6, lines 19-46); identifying a logical block of the screen display affected by the input event at the controlled computer based upon the program and the input event data (see column 6, lines 29-46); transmitting data representative of a logical block from the controlled computer to the controlling computer (see column 7, lines 40-64); storing the data representative of the logical block in memory at the controlling computer (see column 5, lines 49-62); and updating the display at the

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controlling computer based on the data representative of the logical block (see column 7, lines 40-64).

17. Regarding claim 36, Slattery disclosed the method and system wherein transmitting the data representative of the screen display comprises capturing the screen at the controlled computer (see column 7, lines 40-64).

18. Regarding claim 37, Slattery disclosed the method and system wherein the controlled computer is coupled to a machine system and configured to facilitate control of the machine system (see column 4, lines 26-37).

Claim Rejections - 35 USC § 103

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

20. Claims 1-8 and 30-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Slattery et al. (U.S. Pat. No. 6,514,085), hereinafter referred to as Slattery, and further in view of Ross et al. (U.S. Pat. No. 6,608,628), hereinafter referred to as Ross.

21. Slattery disclosed a method and system comprising generating a screen display at a controlled computer based upon a program run by the controlled computer (see column 7, lines 40-64); transmitting data representative of the screen display from the controlled computer to a controlling computer (see column 7, lines 40-64); storing the data representative of the screen display in memory at the controlling computer (see

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column 5, lines 49-62); transmitting input event data representative of an input event from the controlling computer to the controlled computer (see column 6, lines 19-46); identifying via the controlling computer a logical block of the screen display affected by the input event at the controlled computer based upon the program and the input event data (see column 6, lines 29-46); transmitting data corresponding to the logical block from the controlled computer to the controlling computer (see column 7, lines 40-64); storing display data from the logical block in memory at the controlling computer (see column 5, lines 49-62); and display merged data representative of the logical block and the screen display on the controlling computer (see column 7, lines 40-64).

22. While Slattery disclosed the above limitations, Slattery did not specifically disclose the invention in the context of a medical diagnostic imaging system using medical devices.

23. However, in a related art, Ross disclosed a collaborative computing environment allowing users to view and manipulate images generated by a medical diagnostic imaging system (see column 1, lines 36-39; column 2, lines 40-48).

24. It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Slattery and Ross to provide a system for a collaborative environment for a medical imaging device in order to provide collaborative computing by allowing multiple users at different computer systems to collaboratively view and interact with biomedical images in real-time, thereby allowing remotely located physicians to collaborate by viewing an image of an anatomical object simultaneously and to provide instruction to a remotely located physician (see column 11, lines 48-50).

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Additionally, with respect to claim 1, it is noted that the limitation "a medical system or device" is recited in the preamble of the claim and therefore given little patentable weight. It is submitted that the disclosure of Slattery is capable of the functionality claimed regardless of the intended environment.

Response to Arguments

25. Applicant's arguments with respect to claims 1-8, 11-26, and 29-37 have been considered but are moot in view of the new ground(s) of rejection. Examiner submits that the claims are taught by the prior art of record as detailed in the above rejections under 35 U.S.C. 103(a).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Stein (U.S. Pat. No. 5,684,952)

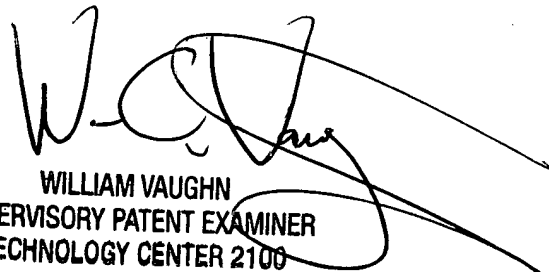
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph R. Maniwang whose telephone number is (571) 272-3928. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William C. Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JM


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